

Application No : 17/01775/TPO

Ward:
Copers Cope

Address : 156 Bromley Road Beckenham BR3 6PG

OS Grid Ref: E: 538403 N: 169363

Applicant : Subsidence Management Services

Objections : YES

Description of Development:

Fell Oak x 1.
SUBJECT TO TPO 1501 (T1)

Proposal

This application has been made to fell a large oak tree (T2) located towards the end of the rear garden, approximately 25m from the rear of the dwelling. The tree is referenced as T2 on the application details. This application has been made by the insured neighbouring resident, as a result of a subsidence claim. A number of supporting documents have been supplied which include the following:

- Level Monitoring
- Foundation diagrams
- Root Identification
- Soil Analysis
- Claim Assessment Report
- Arboricultural Report
- Crack Monitoring

The data supplied indicates a seasonal movement resulting in damage to the kitchen extension and rear portion of the dwelling. The report details the dimensions of the tree within the survey data.

The details supplied are sufficient to enable consideration of the application.

Costs of Repairs

The cost of repairs with the tree removed has been calculated by the applicant to be £5675. If the tree remains as a result of refused permission, the costs of repairs to the superstructure could increase by £10,000, totalling £15,675. This is a calculation submitted by the applicant in section 7 of the application form.

Location

The application site is comprised of a detached dwelling located on the south side of Bromley Road. The property is typical of this part of Beckenham and appears to be of a similar age and design to other properties in the vicinity.

The garden tapers to a point measured approximately 37m from the rear of the dwelling. Due to the position of the plot, the garden is smaller than the neighbouring plots.

Consultations

Nearby owners/occupiers were notified of the application and representations were received which can be summarised as follows:

- The oak tree has a Tree Preservation Order (TPO) dating back to 1998. The evidence submitted relate to a dwelling 100 feet away from the tree. There is no evidence that the subsidence is a result of roots. The houses 156 and 158 are at a higher level than the main road. There is subsidence on the external steps, driveway and front boundary wall showing that subsidence is due to geological conditions. The objector disagrees with the proposal to fell the tree.

Conclusion

It is recommended that the application be refused.

The information supplied indicates movement affecting the dwelling and extension. The extension was underpinned in 1995 and was aimed at stabilising previously noted movement. Given the depth of the foundations noted in Trail Pit 2, which relates to the original dwelling's foundation depth, reveals foundations are 0.5m deep. Trail Pit 1 reveals the depth of the foundations associated with the extension to be 1.9m.

Based on the tree species, zone of influence and soil type, foundations would need to be a minimum of 1.2m deep. The foundation depth of the extension is therefore sufficient to take account of the oak tree's influence. The foundations of the dwelling are too shallow and the majority of the damage noted internally, is believed to be a result of movement across the whole dwelling. The damage noted around the junction of the dwelling and extension show separation has occurred between the two. The movement is more likely to be associated with the main dwelling and this is further indicated by the damage noted internally around the door frames, ceiling and plaster finish. Other cosmetic damage is believed to be general aging of the internal décor.

A heave assessment has not been included in the investigation. As T2 existed prior to the construction of the claimant's property, soil conditions are likely to have already been influenced by the tree. Further movement caused by the removal of the tree should not be overlooked.

The subject oak tree is awarded high amenity value primarily on the basis of age/maturity. This is reflected by the making of the TPO in 1998.

Value of the Tree

Capital Asset Value for Amenity Trees (CAVAT), provides a method for managing trees as public assets rather than liabilities. It is designed not only to be a strategic tool and aid to decision-making in relation to the tree stock as a whole, but also to be applicable to individual cases, where the value of a single tree needs to be expressed in monetary terms.

A CAVAT assessment has been calculated for the subject oak tree (T2). The value of the tree has been calculated as £70,647. This takes into account variable factors including public visibility, condition and life expectancy.

The value of the tree outweighs the cost of repairs with the retention of the tree. It is therefore recommended that the application be refused. The felling of the tree is considered an extreme solution to address the damage that is expected to endure.

The applicant has indicated the intention of lodging a compensation claim in accordance with section 202E of the Town and Country Planning Act 1990. Members should be mindful of the potential financial implications prior to reaching a decision.

DECISION

Refusal for:
Fell Oak x 1.
SUBJECT TO TPO 1501 (T1)

Reason:

The oak tree makes a positive contribution to the locality and is a good example of the species. The loss of the tree would be damaging to the greater locality. The Council consider that insufficient consideration has been given to the cause of subsidence and the appropriate solution. The proposals would negate the objectives of the TPO and therefore conflict with Policy NE7 of the Bromley Unitary Development Plan (adopted July 2006).